

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**TOMMY L.,**

Plaintiff,

v.

**KILOLO KIJAKAZI**, Acting  
Commissioner of the Social Security  
Administration,

Defendant.

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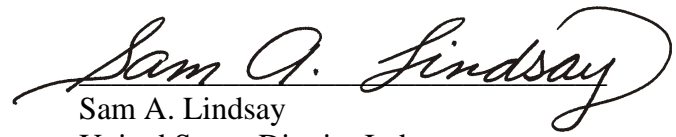
Civil Action No. **3:22-CV-2882-L**

**ORDER**

On January 29, 2024, the Findings, Conclusions and Recommendation of the United States Magistrate Judge Renee Toliver (Doc. 15) (“Report”) was entered, recommending that the court **reverse** the decision of the Acting Commissioner of the Social Security Administration (“Commissioner”) and **remand** the action for further proceedings consistent with her Report. Specifically, the Report concludes that the Administrative Law Judge (“ALJ”) erred in his residual function capacity (“RFC”) determination and that the error was not harmless. Report 6. No objections were filed to the report.

After reviewing the Report, pleadings, file, record, and applicable law, the court determines that the magistrate judge’s findings and conclusions are correct, and **accepts** them as those of the court. Accordingly, the Commissioner’s decision is **reversed**, and this case is **remanded** for further proceedings consistent with the findings and conclusions set forth in the Report. The clerk of court is **directed** to effect the remand in accordance with the usual procedure.

**It is so ordered** this 22nd day of February, 2024.

A handwritten signature in black ink, reading "Sam A. Lindsay". The signature is written in a cursive style with a large, sweeping loop at the end of the last name.

Sam A. Lindsay  
United States District Judge